

REMARKS

The present application was filed on February 8, 2000 with claims 1-25. Claims 1, 13 and 25 are independent claims. In the outstanding final Office Action, the Examiner: (i) reiterates the rejection of claims 1-6, 8-10, 12-18 and 20-25 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,838,906 to Doyle et al. (hereinafter “Doyle”); and (ii) reiterates the rejection of claims 7, 11, 19 and 23 under 35 U.S.C. §103(a) as being unpatentable over Doyle in view of U.S. Patent No. 6,170,019 to Dresel et al. (hereinafter “Dresel”).

In a previous response dated January 6, 2004, Applicants respectfully traversed the various §102(b) and §103(a) rejections of claims 1-25 based in Doyle and Dresel for at least the reasons presented in the response, which are herein incorporated by reference. While Applicants still assert that claims 1-25, as originally filed, are patentable over Doyle and Dresel, Applicants have nonetheless amended independent claims 1, 13 and 25 to further clarify the claimed invention in a sincere effort to expedite the present application through to allowance. Applicants have not previously amended the claims in order to further clarify them since it was not fully apparent, prior to the present final Office Action, that there appears to be a misunderstanding on the part of the Examiner with regard to the subject matter of the claimed invention.

The claimed invention, as recited for example in amended independent claim 1, provides a method for use in a client/server system of reducing interactions between a client and server in association with an application being accessed by the client at the server. The method comprises the steps of: configuring the server to store a model associated with the application and to execute view-generating and controller logic associated with the application; and configuring the client to store at least a subset of the model associated with the application and to execute at least a subset of the view-generating and controller logic associated with the application, wherein one or more portions of the application are performed at the client without the client having to interact with the server. Amended independent claims 13 and 25 recite similar limitations.

As is evident, Applicants have further clarified the claimed invention by expressly reciting that the server stores a model associated with the application and executes view-generating and controller logic associated with the application, and the client stores at least a subset of the model associated with the application and executes at least a subset of the view-generating and controller

logic associated with the application. This is what is called the dual-MVC approach of the invention.

FIG. 7 and corresponding pages 10 and 11 of the present specification illustrate a generic application flow for a dual-MVC architecture according to an embodiment of the invention. As is evident, by employing the dual-MVC approach wherein the server stores a model associated with the application and executes view-generating and controller logic associated with the application, and the client stores at least a subset of the model associated with the application and executes at least a subset of the view-generating and controller logic associated with the application, one or more portions of the application may be performed at the client without the client having to interact with the server.

That is, as illustrated in the context of FIG. 7, when server interaction is required, data is sent to the server from the client and the server logic generates a new page. However, when server interaction is not required, the client logic generates the new page. Thus, with the dual-MVC approach of the claimed invention, both the client and the server have the ability to execute such logic, thereby reducing the number of required server interactions.

While Doyle discloses a system allowing a user of a browser program on a computer connected to an open distributed hypermedia system to access and execute an embedded program object, Doyle does not disclose the dual-MVC approach of the claimed invention. That is, among other deficiencies, Doyle does not disclose enabling a server to execute view-generating and controller logic and a client to execute at least a subset of the view-generating and controller logic associated with the application, as in the dual-MVC approach of the claimed invention.

The Office Action relies on Doyle at column 6, lines 49-67, which states:

The present invention provides a method for running embedded program objects in a computer network environment. The method includes the steps of providing at least one client workstation and one network server coupled to the network environment where the network environment is a distributed hypermedia environment; displaying, on the client workstation, a portion of a hypermedia document received over the network from the server, where the hypermedia document includes an embedded controllable application; and interactively controlling the embedded controllable application from the client workstation via communication sent over the distributed hypermedia environment.

The present invention allows a user at a client computer connected to a network to locate, retrieve and manipulate objects in an interactive way. The invention not only allows the user to use a hypermedia format to locate and retrieve program objects, but also allows the user to interact with an application program located at a remote computer.

However, while Doyle discloses “a hypermedia document received over the network from the server,” Doyle does not disclose enabling a server to execute view-generating and controller logic and a client to execute at least a subset of the view-generating and controller logic associated with the application, as in the dual-MVC approach of the claimed invention. That is because Doyle neither teaches or suggests the dual-MVC approach of the claimed invention.

Accordingly, Applicants assert that independent claims 1, 13 and 25, as well as the claims which depend therefrom, are patentable over Doyle and therefore allowable. Such dependent claims also recite patentable subject matter in their own right.

Regarding the §103 rejections to claims 7, 11, 19 and 23, Applicants respectfully assert that such dependent claims are patentable over the Doyle/Dresel combination for at least the reasons given above with respect to independent claims 1 and 13. Dresel fails to remedy the deficiencies of Doyle. However, Applicants also assert that such dependent claims also recite patentable subject matter in their own right.

Further, Applicants still assert that there is a clear lack of motivation to combine Doyle and Dresel. Again, there is nothing in the two references that reasonably suggests why one would actually combine the teachings of these two references.

The Federal Circuit has stated that when patentability turns on the question of obviousness, the obviousness determination “must be based on objective evidence of record” and that “this precedent has been reinforced in myriad decisions, and cannot be dispensed with.” In re Lee, 277 F.3d 1338, 1343 (Fed. Cir. 2002). Moreover, the Federal Circuit has stated that “conclusory statements” by an examiner fail to adequately address the factual question of motivation, which is material to patentability and cannot be resolved “on subjective belief and unknown authority.” Id. at 1343-1344.

In the final Office Action at page 7, the Examiner has provided additional statements to prove motivation to combine Doyle and Dresel. However, Applicants still submit that these

statements are based on the type of "subjective belief and unknown authority" that the Federal Circuit has indicated provides insufficient support for an obviousness rejection. More specifically, the Examiner fails to identify any objective evidence of record which supports the proposed combination. That is, while portions of Dresel are now cited, there is no portion of Doyle cited that would reasonably suggest why one would actually combine Dresel and Doyle.

In view of the above, Applicants believe that claims 1-25 are in condition for allowance, and respectfully request withdrawal of the §102(b) and §103(a) rejections.

Respectfully submitted,



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